

CERTIFIED MAIL - RETURN RECEIPT REQUESTED NO. _____

STATE OF CONNECTICUT
DEPARTMENT OF HEALTH SERVICES
BUREAU OF HEALTH SYSTEM REGULATION
DIVISION OF MEDICAL QUALITY ASSURANCE

In re: Anthony T. Sylvester, S.S.I.

Petition No. 881109-33-002

CONSENT ORDER

WHEREAS, Anthony T. Sylvester, S.S.I., of Deepwood Drive, Hebron, Connecticut, has been issued license number 001463, to practice as a Subsurface Sewage Disposal System Installer by the Department of Health Services pursuant to Chapter 393a of the General Statutes of Connecticut, as amended; and

WHEREAS, Anthony T. Sylvester, S.S.I., hereinafter referred to as the Respondent, hereby admits as follows:

1. In April 1986, he failed to appropriately and timely repair the septic system at 34 Hillsdale Road, Hebron, Connecticut.
2. In 1986, he failed to follow the engineer's plans in installing two systems on Old Town Road, Ashford, Connecticut.
3. By his actions in 1. and 2. above he has violated the provisions of §20-341f of the General Statutes of Connecticut by failing to conform to the accepted standards of his profession.

NOW THEREFORE, pursuant to §19a-17 and §20-341f of the General Statutes of Connecticut, Anthony T. Sylvester hereby stipulates and agrees to the following:

1. That he waives his right to a hearing on the merits of this matter;
2. That his license to practice as a Subsurface Disposal System Installer in Connecticut is hereby suspended for six (6) months;

3. That said suspension is stayed immediately, and he shall be on probation for six (6) months under the following terms and conditions:

(a) he shall conform to the standards of the licensed subsurface sewage disposal system installer profession including, but not limited to the following:

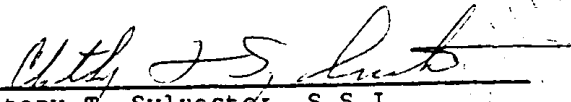
- i. he shall properly obtain all permits and exceptions;
- ii. he shall follow the instructions or orders of the sanitarian or agents of the local department of health;
- iii. he shall follow all engineer's plans when installing systems which require an engineer;
- iv. he shall follow the requirements of the Connecticut Public Health Code and the Technical Standards for the Design and Construction of Subsurface Sewage Disposal Systems;
- v. he shall only install subsurface sewage disposal systems pursuant to plans approved by the local department of health.

4. That he is hereby assessed a civil fine of \$200.00. Said penalty is to be paid to:

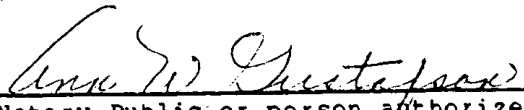
Treasurer, State of Connecticut
Department of Health Services
Public Health Hearing Office
150 Washington Street
Hartford, Connecticut 06106

Payment of the aforementioned fine by certified check shall accompany this document upon execution by the Respondent.

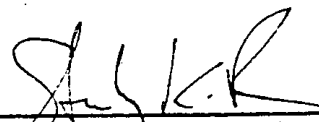
I, Anthony T. Sylvester, S.S.I., have read the above Consent Order, and I agree and admit to the terms and allegations set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


Anthony T. Sylvester, S.S.I.

Subscribed and sworn to before me this 4th day of October 1989.


Notary Public or person authorized
by law to administer an oath or
affirmation
MY COMMISSION EXPIRES MARCH 31, 1990

The above Consent Order having been presented to the duly appointed agent of the Commissioner of Health Services on the 17th day of October 1989, it is hereby accepted and ordered.


Stanley K. Peck, Director
Division of Medical Quality Assurance

ADH:dm

4509Q/1-5

5. That any deviation by the Respondent from the terms of probation specified in paragraph 3a. above shall constitute a violation of probation and will result in the following procedure:
 - a. That he will be notified in writing that the term(s) of probation have been violated provided no prior written consent for deviation from the term(s) had been granted by the Department of Health Services.
 - b. That said notification shall include the act(s) or omission(s) which violate the probation.
 - c. That he will be allowed fifteen (15) days to demonstrate to the Department of Health Services that he was in compliance with the terms of probation, or to cure the violation of the terms of probation.
 - d. That if he does not demonstrate compliance or cure the violation by the limited fifteen (15) day date certain contained in the notification of violation to the satisfaction of the Department of Health Services, his license shall be suspended for a period of six (6) months or he shall be entitled to a hearing, at the Respondent's option.
 - e. He must initiate said hearing through a written request by certified mail to the Department of Health Services within fifteen (15) days from notification of violation of probation.
 - f. He shall be entitled to a hearing before a duly appointed agent of the Commissioner of Health Services.
 - g. Evidence presented at said hearing by either the Department of Health Services or Respondent shall be limited to the alleged violation(s) of the term(s) of probation.

6. That he understands that this Consent Order may be considered as evidence of the above admitted violations in any proceeding (1) in which his compliance with this same order is at issue, or (2) in which his compliance with §20-341f of the General Statutes of Connecticut, as amended, is at issue.
7. That this Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, that said order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive him of any rights that he may have under the laws of the State of Connecticut or of the United States.
8. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department of Health Services at any time prior to its being executed by the last signatory.
9. That this Consent Order is effective the first day of the next month after which it is accepted and ordered by the Department of Health Services.
10. That he has the right to consult with an attorney prior to signing this document.

*

*

*

*